

REMARKS

Reconsideration of the above-identified application in view of the remarks below is respectfully requested.

No claims have been canceled, amended or added in this paper. Therefore, claims 24-46 are pending. Of these claims, claims 35-46 are withdrawn as being directed at a non-elected species, as discussed further below. Consequently, claims 24-34 are under active consideration.

In the outstanding Office Action, the Patent Office communicates the following election of invention requirement:

Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-23, drawn to method, classified in class 606, subclass 8.

II. Claims 24-46, drawn to apparatus, classified in class 623, subclass 1.11.

In response to the above, Applicants respectfully elect Group II, claims 24-46. (Applicants note that claims 1-23 were canceled in the Preliminary Amendment filed September 15, 2003.)

Also in the outstanding Office Action, the Patent Office communicates, in pertinent part, the following election of species requirement:

This application contains claims directed to the following patentably distinct species:

a. Figure 7

b. Figure 8a,b

c. Figure 11a,b

The species are independent or distinct because they use different structures for delivering the stents, such as sheath, balloon or push rod.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

In response to the above, Applicants respectfully elect the species of Figs. 4 and 5¹. Claims 24-34 are readable on the elected species.

It is respectfully submitted that the present application is in condition for allowance. Prompt and favorable action is earnestly solicited.

If there are any fees due in connection with the filing of this paper that are not accounted for, the Examiner is authorized to charge the fees to our Deposit Account No. 11-1755. If a fee is

¹ Applicants have assumed that the Patent Office's reference to Fig. 7 as species A is a typographical error and that Figs. 4 and 5 were intended to be species A. This is because Figs. 4 and 5, like Figs. 8(a), 8(b), 11(a) and 11(b), are directed at a stent delivery system whereas Fig. 7 is directed at a stent used in the stent delivery system of Figs. 8(a) and 8(b). Applicants respectfully request clarification if their assumption is in error.

required for an extension of time under 37 C.F.R. 1.136 that is not accounted for already, such an extension of time is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 28, 2006

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Dated: September 28, 2006